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FM USMISSION USUN NEW YORK
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7209
INFO RUEHKK/ARAB ISRAELI COLLECTIVE PRIORITY
RUEHGG/UN SECURITY COUNCIL COLLECTIVE PRIORITY

UNCLAS SECTION 01 OF 03 USUN NEW YORK 000854

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: [PREL](#) [KHUM](#) [KBIO](#) [UN](#) [IS](#) [LE](#) [IV](#) [SO](#)
SUBJECT: UNSC: MONTHLY MEETING ON THE MIDDLE EAST SEPTEMBER
2009

REF: SECSTATE 95932

¶1. (SBU) Summary: UN Special Coordinator for the Peace Process Robert Serry briefed the Security Council during its monthly meeting on the Middle East on 17 September. He focused on the prospects for a two-state solution to the Israel-Palestinian conflict. Serry noted efforts aimed at the development of a Palestinian state and the expected Palestinian elections. He reported Israel's ongoing settlement activity and 619 obstacles to movement in the West Bank. Serry noted the release of the Goldstone report, to be considered by the UN Human Rights Council (HRC) on September 29 in Geneva. He also briefed on the rocket attacks from Southern Lebanon on September 11 and the impasse in forming a Lebanese government.

¶2. (SBU) Summary Continued: Amid praise for U.S. efforts to bring Israel and the Palestinians back to negotiations, all Council members expressed concerns over continuing Israeli settlement activity. The Libyan PermRep said that it is disappointing that progress on the peace process is no longer about ending "Israeli occupation" but has been "reduced to the issue of ending settlements." Members called for the opening of crossings into Gaza, with many voicing concern about the humanitarian situation given the lack of reconstruction and the approach of winter. Most members noted the release of the Goldstone report, but deferred comment on the substance of the report until after the HRC's review. Comments on Lebanon centered on support for efforts to form a unity government and condemnation of the September 11 rocket attacks on Israel from southern Lebanon. Ambassador Rice delivered the U.S. statement (reftel), including comments on the Goldstone report. End summary.

Special Coordinators Briefing

¶3. (SBU) UN Special Coordinator for the Peace Process Robert Serry briefed the Security Council during its monthly meeting on the Middle East on 17 September. (Note: The full text of the briefing can be found at: <http://www.un.org/Depts/dhl/resguide/scact2009.htm>) Serry said that for Israel-Palestinian negotiations to work, both parties must adhere to their Roadmap obligations and robust third-party support would be helpful. He noted Israeli Defense Minister Barak's authorization on September 7 of the construction of 455 housing units in the West Bank, including around Jerusalem, and the fact that the next day the Israel Lands Administration accepted bids for construction of 486 apartments in Pisgat Ze'ev in East Jerusalem. Serry reminded members that the Secretary General has called on Israel to freeze all settlement activity including natural growth and to dismantle outposts erected since March 2001. Serry drew attention to the OCHA report of 619 obstacles to movement in the West Bank, but commended the recent Government of Israel (GOI) announcement of its intention to remove 100 earth mounds. (Note: Not all of the earth mounds are counted as

obstacles to movement in the OCHA report.)

¶4. (SBU) Serry noted with concern a recent statement from Hamas leader Meshal that Hamas continues to purchase, manufacture, and smuggle weapons into Gaza. Serry called the longer-term consequences of Israel's blockade of Gaza "deeply worrying" and "un-sustainable," and noting the need for immediate access for agricultural inputs, water and sanitation equipment, materials for shelter repair, and educational materials. He said that as efforts are made to re-launch the peace process, the situation in Gaza cannot be left to "further deteriorate and unravel." He briefed the council that despite "extensive and constructive high-level discussions with the Israeli government" on the proposal for UN-led pilot reconstruction projects, there has been no positive response from the GOI. He reported that the GOI cites the continued detention of Gilad Shalit as the key obstacle to allowing even limited civilian reconstruction. Earlier in the briefing Serry called for the release of both Shalit and a number of the 10,000 Palestinian prisoners held by Israel.

¶5. (SBU) Recalling the Palestinian intention to complete preparation for statehood in less than two years, Serry called for support for those efforts including during the September 22 Ad Hoc Liaison Committee meeting. He noted President Abbas' intention, under Palestinian law, to decree that Presidential and legislative elections be held in the West Bank and Gaza in January 2010. Hamas has refused to cooperate with these elections, stating that it will not permit elections to be held in Gaza until an agreement on national unity has been reached. Serry called for all

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factions to engage in internal dialogue under Egyptian auspices.

¶6. (SBU) Serry noted the release of the Goldstone report, which will be formally presented to the Human Rights Council (HRC) on September 29. He expressed his hope that Lebanon can form a government quickly. He reported that on September 11 two rockets were launched against Israel from southern Lebanon, a clear violation of UNSCR 1701, and that Israel retaliated by launching 12 artillery shells. Serry also said that UNIFIL shared its investigative report of the July 14 arms cache explosion in southern Lebanon with the two parties on September 11.

Council Consultations: Peace Process and Gaza

¶7. (SBU) Council members then moved into consultations. Austria, Costa Rica, Croatia, Japan, Mexico, Russia, and the UK praised the involvement and efforts of Special Envoy Mitchell to bring Israel and the Palestinians back to negotiations. The Russian Federation and France called for attention to the Lebanon and Syria tracks. The Libyan PermRep said that it is disappointing that progress on the peace process is no longer about ending "Israeli occupation," but has been "reduced to the issue of ending settlements." The Russian Deputy PermRep said that he still hopes an international conference in Moscow will occur before the end of the year; the French supported the conference as an important step. Austria, France, Russia, and the UK all noted the upcoming Quartet meeting on September 24. China, Costa Rica, Croatia, France, and the UK mentioned steps that regional Arab states could take to facilitate a return to negotiations, as outlined in the Arab Peace Initiative (API).

¶8. (SBU) Austria, Burkina Faso, China, Costa Rica, Croatia, France, Japan, Mexico, Russian Federation, Turkey, and Uganda called for the opening of the Gaza crossings and commented on

the humanitarian situation in Gaza. The Chinese Deputy PermRep urged full implementations of UNSC 1860, emphasizing that eight months have already passed without full implementation. France called for the release of Gilad Shalit. The Libyan PermRep described Gaza as besieged and noted that winter is coming and there has been no improvement in the humanitarian situation.

Criticism of Settlements

¶9. (SBU) All council members expressed concerns over continuing Israeli settlement activity. Croatia and France both called settlements an "obstacle to peace." The Japanese PermRep called for a settlement freeze in the West Bank and Jerusalem, including on natural growth of existing settlements. The Turkish Deputy PermRep said that expanding settlement activities are contrary to international law and fundamental human rights. The Mexican PermRep called the approval of more than 400 new housing units "deplorable" and said that East Jerusalem should be included in any settlement freeze. The Vietnamese PermRep expressed "acute concern" over settlements and called for the revocation of recent Israeli approvals of new construction. The Russian Deputy PermRep noted that new construction "does not lead to an encouraging environment for mediation efforts."

Internal Palestinian Developments

¶10. (SBU) Japan and the UK praised Palestinian Prime Minister Fayyad's efforts to develop the institutions of a functioning state in two years time. The Croatian PermRep commended the reversal of the downward economic trend in the West Bank, as noted in a recent IMF report. Austria, China, Costa Rica, Japan, France, Russia, Turkey, and Vietnam spoke of the need for unity between Palestinians political factions. The Turkish PermRep noted that it would be difficult for Palestinians to engage in negotiations without unity and welcomed upcoming Palestinian legislative elections. Costa Rica, France, Russia, and Uganda praised Egypt's efforts to mediate between Palestinian factions.

Goldstone

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¶11. (SBU) The majority of members mentioned the Goldstone report, but deferred comments on substance until after the HRC review. The Libyan PermRep said that the HRC chose "a Jew, a South African judge, and a man who had dealt with these issues in Africa" to carry out the mandate to investigate what happened in Gaza and that the report is "balanced." The Libyan PermRep asked rhetorically "Will Israel remain a state above the law?" The UK Deputy PermRep noted that it is still "digesting" the report which raises serious issues about the differentiation between combatants and noncombatants by both parties. He added that the report should first be considered by the HRC and should not distract the parties from resuming negotiations. The Mexican PermRep noted that peace will only be possible if all parties reject violence against civilians and respect international humanitarian law. The Austrian PermRep expressed full support for the mandate of the fact-finding mission, and said that the report must be taken seriously. The French PermRep said that as a matter of principle, France calls for the respect for international humanitarian law everywhere, at all times, by all parties. Costa Rica, Croatia, and Russia said they were reviewing the report and would follow-up with additional comments after presentation to the HRC. Burkina Faso, Croatia, Turkey, Uganda and Vietnam also noted the Goldstone report, without substantive remarks.

Lebanon

¶12. (SBU) Austria, Burkina Faso, Croatia, France, Mexico, and Vietnam condemned the September 11 rocket attacks against Israel from Lebanese territory. The Chinese PermRep called for all states to fully implement UNSC 1701. The French PermRep noted that UNIFIL is already investigating the incident in cooperation with Lebanese Armed Forces. The Russian Deputy PermRep said Russia was pleased that events did not lead to a more widespread disruption. Burkina Faso, Costa Rica, Croatia, Turkey, Uganda, and Vietnam expressed support for efforts to form a unity government in Lebanon. The Libyan PermRep criticized the fact that a right wing government in Israel is not criticized by the international community, while Hizballah participation in a Lebanese government is deemed "Islamist."

U.S. statement

¶13. (SBU) Ambassador Rice delivered the U.S. remarks (reftel), including a comment on the Goldstone Report. Rice said that the Goldstone Report should be handled at the HRC. She expressed confidence that, "as a democracy, Israel has the institutions to review the allegations about its behavior."

Serry on Palestinian Elections

¶14. (SBU) Responding to requests from members for additional details on the Palestinian political process, Serry said that the Basic Law under which the Palestinian Authority operates requires that new elections be announced in October for the following January 2010. He noted that the new Egyptian mediation package offers a compromise that includes elections in the first six months on 2010, but that the proposal requires a reply from all Palestinian political parties. Serry said that it is clear that elections will have to take place in both the West Bank and Gaza.
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